

Report to the Board of Adjustment

Prepared by the Maricopa County Planning and Development Department

Case: BA 2005018

Variance

Hearing Date:

April 13, 2005

Agenda Item:

x

Supervisory District:

3

Applicant:

Robert Pizorno for Beus, Gilbert PLLC

Property Owner:

Richard Brock

Request:

Variances to permit:

- 1) An existing single-family residence to setback 1-foot from the rear (west) property line where 40 feet is the minimum required,
- 2) An existing building separation distance (single-family residence/studio) of 13.29 feet where 15 feet is the minimum required,
- 3) An existing detached accessory structure (studio) to setback 8.08 feet from the rear (west) property line where 40 feet is the minimum required,
- 4)

These variances are requested from the following Zoning Ordinance Section(s):

- 1) Section xxx, Article xxx.x.x
- 2) Section , Article
- 3) Section , Article

Site Location:

7302 N. Red Ledge Drive – Tatum Boulevard and Clearwater Hills Drive (Phoenix/Paradise Valley area)

Site Size:

47,815 square feet (1.1 acres)

Existing Zoning:

Rural-43

Current Use: Residential

Citizen

Support/Opposition: List all support and opposition letters, petitions, etc., here.

Staff

Recommendation: Deny

Existing On-Site and Surrounding Zoning:

1. On-site: Rural-43
North: Rural-43
South: Rural-43
East: Rural-43
West: Rural-43

Existing On-Site and Surrounding Land Use:

2. On-site: Single-family residence and guest house
North: Vacant
South: Single-family residence
East: Single-family residence
West: Single-family residence

Background:

3. **August ??, 1995:** Give any parcel, building permit or hearing history here.

Findings:

4. **Maricopa County Department of Transportation:** No response at the time this report was written.
5. **Flood Control District:** No response at the time this report was written.
6. **Environmental Services Department:** No objections to the request (see attached memo).
7. **Town of Paradise Valley:** No objection to building separation request as the Town requires a three foot minimum separation distance. Existing setback variance may be considered as self-imposed (see attached e-mail).

Site Analysis:

7. Use this space to fully describe the site layout – existing and proposed conditions. Describe site access, interior circulation, existing and proposed structures.
9. The following table is included to illustrate and contrast the standards for the underlying zoning district with those proposed by the applicant.

Standard	Rural-43 (Zoning District)	Proposed Standard
Front Yard Setback	40-feet	???
Rear Yard Setback	40-feet	1-foot
Side Yard Setback	30-feet	???
Street Side Setback	20-feet	???
Maximum Height	30-feet/2 stories	???
Minimum Lot Area	43,560-sq. ft.	???
Minimum Lot Width	145-feet	???
Lot Coverage	15%	???

*Standards indicated in **bold** do not meet minimum base zoning standards.

Land Use Analysis:

8. Describe the surrounding area both immediate and general. Also, include nearby BA case history.

Plan Analysis:

9. Use this space to fully analyze the request. What are its impacts to the immediate and general area? Does the request include any hardship or unusual circumstance? Is the request self-created? State our recommendation and the reason why we are recommending this way. Explain any stipulations that we may be recommending?

Recommendation: (BA 2005018)

10. Staff recommends **denial** of these variance requests based on the following:
 - The relief requested is the minimum required necessary to provide the applicant with full use and enjoyment of the property.
 - The request does not conflict with the intent of the Zoning Ordinance.

Subject to the following stipulations:

- a) Compliance with the boundary survey dated October 19, 2003.
 - b) The applicant shall obtain as-built permits within 30 days of Board approval.
11. If the Board finds that a reasonable use of the property can be made without this variance, then this request should be denied.

clh

Attachments: Case Map BA 2005018
Zoning Map
Assessor Map
Site Plan
Application
Supplemental Questionnaire (3 pages)
E-mail from Town of Paradise Valley (1 page)
Environmental Services Memorandum (1 page)
Letters of opposition (x pages)